IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

BLANCA P. CEDILLOS-GUEVARA	:	
	:	
v.	:	
	:	CASE NO. 1:14-cv-00196-GLR
	:	
MAYFLOWER TEXTILE SERVICES CO., et al.	:	

ANSWERS AND AFFIRMATIVE DEFENSES TO COMPLAINT

Defendants Mayflower Textile Services Co. and Mukul Mehta (sometimes referred to collectively as "Defendants"), by their undersigned counsel, hereby submit their Answers and Affirmative Defenses in response to the Complaint filed by Plaintiffs in the above-referenced case, and in support thereof say as follows:

I. INTRODUCTION

1. Paragraph 1 contains a statement of law to which no response is required. To the extent a response is required, Defendants deny the allegations in paragraph 1.

2. Defendants deny that the named Plaintiffs are current and former employees of Defendants. The remaining allegations in Paragraph 2 contain a statement of law to which no response is required. To the extent a response is required, Defendants deny the remaining allegations in paragraph 2.

3. Paragraph 3 contains a statement of law to which no response is required. To the extent a response is required, Defendants deny the allegations in paragraph 3.

II. JURISDICTION

4. Paragraph 4 contains a statement of law to which no response is required. To the

extent a response is required, Defendants deny the allegations in paragraph 4.

5. Paragraph 5 contains a statement of law to which no response is required. To the extent a response is required, Defendants deny the allegations in paragraph 5.

III. PARTIES

6. Defendants deny that Plaintiff was employed by Defendants and are without information or knowledge to confirm or deny the remaining allegations.

7. Defendants deny that Plaintiff was employed by Defendants and are without information or knowledge to confirm or deny the remaining allegations.

8. Defendants deny that Plaintiff was employed by Defendants and are without information or knowledge to confirm or deny the remaining allegations.

9. Defendants deny that Plaintiff was employed by Defendants and are without information or knowledge to confirm or deny the remaining allegations.

10. Paragraph 10 is an allegation to which no response is required. To the extent a response is required the allegations in paragraph 10 are denied.

11. Defendants admit that Mayflower Textile Services is a Maryland Corporation with a place of business in Maryland, but deny the remaining allegations.

12. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 12.

13. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 13.

14. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 14.

15. Defendants lack information, knowledge and belief to confirm or deny the

allegations in paragraph 15.

16. Defendants deny the allegations in paragraph 16.

17. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 17.

18. Defendants deny the allegations in paragraph 18.

19. Paragraph 19 contains a statement of law to which no response is required. To the extent a response is required, Defendants deny the allegations in paragraph 19.

20. Paragraph 20 contains a statement of law to which no response is required. To the extent a response is required, Defendants deny the allegations in paragraph 20.

21. Paragraph 21 contains a statement of law to which no response is required. To the extent a response is required, Defendants deny the allegations in paragraph 21.

22. Defendants deny the allegations in paragraph 22.

23. Defendants admit that Mayflower Textile Services launders linens transported by trucks.

IV. STATEMENT OF FACTS

24. Defendants admit that Defendant Mayflower operates a laundry but deny that these Plaintiffs were employed by Plaintiffs.

25. Defendants admit that Defendant Mayflower leases and launders a variety of products out of its Baltimore facility.

26. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 26.

27. Defendants deny the allegations in paragraph 27.

28. Defendants lack information, knowledge and belief to confirm or deny the

allegations in paragraph 28.

29. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 29.

30. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 30.

31. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 31.

32. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 32.

33. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 33.

34. Defendants lack information, knowledge and belief to confirm or deny the allegations in paragraph 34.

35. Defendants admit that employees are required to maintain lawful timekeeping records documenting their time worked.

36. Defendants deny the allegations in paragraph 36.

37. Defendants deny the allegations in paragraph 37.

38. Defendants deny the allegations in paragraph 38.

39. Defendants deny the allegations in paragraph 39.

40. Defendants deny the allegations in paragraph 40.

41. Defendants deny the allegations in paragraph 41.

42. Defendants deny the allegations in paragraph 42.

43. Defendants deny the allegations in paragraph 43.

44. Defendants deny the allegations in paragraph 44.

45. Defendants admit that employees of Defendants may, at times, work longer than scheduled hours based on business needs.

46. Defendants deny the allegations in paragraph 46.

47. Defendants deny the allegations in paragraph 47.

48. Defendants deny the allegations in paragraph 48.

49. Paragraph 49 contains a statement of law to which no response is required.

50. Defendants deny the allegations in paragraph 50.

51. Defendants deny the allegations in paragraph 51.

52. Defendants deny the allegations in paragraph 52.

53. Defendants deny the allegations in paragraph 53.

54. Defendants deny the allegations in paragraph 54.

55. Paragraph 55 contains a statement of law to which no response is required.

56. Defendants deny the allegations in paragraph 56.

57. Defendants deny the allegations in paragraph 57.

58. Defendants deny the allegations in paragraph 58.

59. Defendants deny the allegations in paragraph 59.

60. Defendants deny the allegations in paragraph 60.

61. Defendants deny the allegations in paragraph 61.

62. Defendants deny the allegations in paragraph 62.

63. Defendants deny the allegations in paragraph 63.

COLLECTIVE ACTION ALLEGATIONS UNDER THE FLSA

64. Defendants deny the allegations in paragraph 64.

65. Defendants deny the allegations in paragraph 65.

66. Defendants deny the allegations in paragraph 66.

67. Defendants deny the allegations in paragraph 67.

CLASS ALLEGATIONS UNDER THE MWHL AND MWPCL

68. Defendants deny the allegations in paragraph 68.

69. Defendants deny the allegations in paragraph 69.

70. Defendants deny the allegations in paragraph 70.

71. Defendants deny the allegations in paragraph 71.

72. Defendants deny the allegations in paragraph 72.

73. Defendants deny the allegations in paragraph 73.

74. Defendants deny the allegations in paragraph 74.

75. Defendants deny the allegations in paragraph 75.

COUNT I

FAIR LABOR STANDARDS ACT

76. Defendants repeat and incorporate by reference their responses to the allegations set forth in paragraph 1 through 75 above.

77. Defendants deny the allegations in paragraph 77.

78. Defendants deny the allegations in paragraph 78.

79. Defendants deny the allegations in paragraph 79.

80. Defendants deny the allegations in paragraph 80.

COUNT II

(Denial of Minimum Wage Overtime Compensation Under Maryland Law)

81. Defendants repeat and incorporate by reference their responses to the allegations

set forth in paragraph 1 through 80 above.

82. Defendants deny the allegations in paragraph 82.

83. Defendants deny the allegations in paragraph 83.

84. Defendants deny the allegations in paragraph 84.

COUNT III

MARYLAND WAGE PAYMENT AND COLLECTION ACT
(Failure to Pay Promised Wages for All Hours Worked)

85. Defendants repeat and incorporate by reference their responses to the allegations set forth in paragraph 1 through 84 above.

86. Defendants deny the allegations in paragraph 86.

87. Defendants deny the allegations in paragraph 87.

88. Defendants deny the allegations in paragraph 88.

89. Defendants deny the allegations in paragraph 89.

90. Defendants deny the allegations in paragraph 90.

91. Defendants deny the allegations in paragraph 91.

92. Defendants deny the allegations in paragraph 92.

WHEREFORE, Defendants deny that Plaintiffs are entitled to any of the relief requested.

In further answer, Respondent denies each and every allegation in the Complaint except such allegations that are expressly admitted herein.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The Complaint fails to state a claim against Defendants upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

The Complaint and claims set forth therein are barred by waiver, estoppel, unclean hands and the applicable statute of limitations.

THIRD AFFIRMATIVE DEFENSE

Defendants deny that class or collective action status is appropriate or available.

FOURTH AFFIRMATIVE DEFENSE

Defendants have not been the employer of Plaintiffs.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs' Complaint does not make allegations sufficient to establish eligibility for class or collective action status.

SIXTH AFFIRMATIVE DEFENSE

Any actions or omissions giving rise to claims in the Complaint were undertaken in good faith and with reasonable grounds for believing such conduct did not violate applicable law.

SEVENTH AFFIRMATIVE DEFENSE

Some or all Plaintiffs were exempt under the FLSA and applicable State law.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred, in whole or in part, because the time periods for which they claim entitlement to overtime pay fall within the *de minimis* exception

SEVENTH AFFIRMATIVE DEFENSE

Plaintiffs' claims are barred as to all hours allegedly worked of which Defendants lacked actual or constructive knowledge.

Defendants reserve the right to raise and assert additional affirmative defenses as they become known.

WHEREFORE, Defendants respectfully requests that the Complaint be dismissed with prejudice, and that Defendants be granted judgment for costs and attorneys' fees, and any other relief this Court deems appropriate.

DATED this 5th day of March, 2014.

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I certify that on this 5th day of March, 2014, a copy of the foregoing Answer was provided to the following counsel, *via* the court's electronic filing system:

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